

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Dec 08, 2020

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

GARY STODDARD,

Plaintiff,

v.

NO NAMED DEFENDANT,

Defendant.

NO. 4:20-CV-05235-SAB

**ORDER OF VOLUNTARY
DISMISSAL WITHOUT
PREJUDICE**

Before the Court is Plaintiff's Request for Voluntary Dismissal, ECF No. 3. Plaintiff has not paid the filing fee nor has he been granted *in forma pauperis* status. Plaintiff explains that he wishes to "withdraw [his] Emergency Petition for Relief which [he] submitted not more than one week ago," because he cannot afford filing fee. Because no Defendants have filed an answer or moved for summary judgment, Plaintiff has an absolute right to voluntarily dismiss this case. Fed. R. Civ. P. 41(a)(1)(A)(i).

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ORDER OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE. -- 1

1 Accordingly, **IT IS HEREBY ORDERED:**

2 1. The above-captioned matter is **DISMISSED** without prejudice and
3 without costs or fees to any party.

4 **IT IS SO ORDERED.** The Clerk of Court is directed to enter this Order
5 and Judgment of Dismissal, furnish copies to Plaintiff, terminate all pending
6 hearing dates and deadlines, and **CLOSE** the file.

7 **DATED** this 8th day of December 2020.



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A handwritten signature in blue ink, reading "Stanley A. Bastian", is written over a horizontal line.

Stanley A. Bastian
Chief United States District Judge